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TAGS: PGOV KDEM I2
SUBJECT: IN LIMBO, MUTLAQ REQUESTS U.S. HELP

Classified By: Acting Political Minister-Counselor Yuri Kim for Reasons
1.4 (b, d)

¶1. (C) SUMMARY: With little prospect that political colleagues will take action on his behalf, MP Saleh al-Mutlaq is seeking U.S. and UNAMI intervention to reinstate him on the ballot. He also urged the United States to "isolate" Ahmad Chalabi, who he thought would continue to press his malicious activities after the March 7 national elections. Mutlaq reiterated that an election boycott was not in the interest of his supporters or the Iraqi people in general, but warned that he might have no other choice but to declare a boycott on principle, even if no one was with him. END SUMMARY.

INTERNAL SOLUTION UNLIKELY

¶2. (C) In a late February 23 meeting, a subdued Mutlaq told PolCouns that while Iraqi actors from across the political spectrum had expressed sympathy for his disqualification, no one was prepared to openly or actively advocate for his reinstatement. He said PM Maliki had called him at the outset of the de-Ba'athification crisis to disavow any involvement in the barring of candidates, and that Ammar al-Hakim (ISCI), Humam al-Hamoudi (ISCI), Grand Ayatollah Sistani, President Talabani, and KRG President Barzani had all expressed support for him. Mutlaq also said that Federal Supreme Court Chief Justice Medhat had told parliamentary Speaker Ayad al-Samarrai'e that the Accountability and Justice Commission's activities were illegal. Yet "politicians inside don't have the will to find a solution," Mutlaq said. "It's in their interest not to have me."

¶3. (C) Mutlaq pleaded for U.S. and UNAMI intervention to reinstate him on the ballot and ensure that the elections would be conducted in a fair manner -- "otherwise we'll both end up losers in this process." He also urged U.S. action to stop Chalabi, who he believed was intent on carrying out a malevolent agenda, inclusive of politically motivated de-Ba'athification beyond the election. Mutlaq felt there was "a real chance" for the Iraqiyya coalition to win the elections if the U.S. brokered a solution to his predicament.

He thought perhaps the Syrians could engage the Sadrists and believed that a delegation of tribes would soon visit Grand Ayatollah Sistani to ask for support to reinstate him.

¶4. (C) PolCouns underscored that the United States would not act in favor of any particular candidate or party, but that we would continue to press strongly for a fair, transparent, and inclusive election process. While we would not intervene to impose a political solution, we would support any candidate's right to pursue all available legal recourse. Mutlaq said he had retained a lawyer and was prepared to "face the judges." He reiterated that no judge would be willing to rule in his favor without political consensus to provide cover, which was still lacking, he bemoaned.

TO BOYCOTT OR NOT TO BOYCOTT

15. (C) PolCouns praised Mutlaq for continuing to encourage full voter participation in the election. Mutlaq criticized the USG for wavering in its position on de-Ba'athification calling for a postponement of the process at first, then announcing during VOPTUS Biden's trip that the USG would not impose a solution. This had confused the Iraqi people, he claimed, while giving Chalabi and others the impression that the USG would abide their misbehavior. Mutlaq said the boycott announcement made by the Iraqi Front for National Dialogue (IFND) spokesman was a reaction to the Ambassador's QDialogue (IFND) spokesman was a reaction to the Ambassador's remarks that the de-Ba'athification crisis had passed. It did not reflect any decision on his party, he stated. In fact, he remained convinced that it was in the best interest of his party and the Iraqi people overall to promote full participation in the coming election. "I didn't encourage a boycott but had to be silent for three or four days because I couldn't go against my party," he explained. Mutlaq warned that "people are depressed, pessimistic...this could lead to something else." But he also admitted that anger among Iraqis could drive them to vote "in an aggressive way" in order to voice their opinions. "I have more support now, even in the south," he said.

16. (C) COMMENT: Mutlaq's appeal for U.S. intervention likely reflects recognition that his political colleagues, even his nominal allies, are unlikely to take any further meaningful action on his behalf. He was also sadly cognizant of the fact that candidates from his own party are actively campaigning and are unlikely to stop no matter what he says. While Mutlaq's political influence appears to have quickly

eclipsed, he may yet play a role in the next government depending on the electoral showing of his Iraqiyya coalition partners. Leaving aside the immediate issue of Mutlaq's fate, his experience and that of others indicates that the intensity of Iraqi electoral politics is stifling the judicial process and that the United States will need to be forceful in ensuring space and support for an independent judiciary. END COMMENT.

HILL